USSN: 09/907,515

REMARKS

Claims 24-28 and 33-52 are pending, and claims 1-23 and 29-32 have been cancelled. Claims 24, 47, and 51 are hereby amended. No new matter has been added by virtue of these amendments. The claim amendments were made to reflect the fact that the variable Y may comprise more than a single atom, and are supported by the specification and the originally-filed claims.

Amendment and cancellation should in no way be construed as an acquiescence to any of the Examiner's rejections. The amendments to, or cancellation of, the claims are being made solely to expedite prosecution of the present application and do not, and are not intended to, narrow the claims in any way. Applicants reserve the option to further prosecute the same or similar claims in the instant or in a subsequent patent application.

Rejection of Claims 24-27 under 35 U.S.C. § 112, Second Paragraph

The Examiner has sustained the rejection of claims 24-28, 36, and 33-52 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has stated that it is unclear what the symbols that dissect the bonds after the variables W and Y represent.

For the purpose of defining the pending claims, Applicants respectfully submit that the symbols that dissect the bonds indicate that the bonds may be either a single or double bond. Support for this definition is implicit in the specification, as many of the disclosed species that fall within the generic structure of the claims have either a single or a double bond at the bond position indicated by the symbols.

Applicants respectfully request reconsideration and withdrawal of all rejections under 35 U.S.C. § 112. It is believed that the claims as defined comply fully with 35 U.S.C. § 112, second paragraph, thus favorable reconsideration and allowance are respectfully solicited.

USSN: 09/907,515

Objection to Claims 28, 33-35, and 39

The Examiner has objected to claims 28, 33-35, and 39 as being dependent upon a rejected base claim. Applicants respectfully urge that in light of the foregoing arguments, the claims from which claims 28, 33-35, and 39 are dependent are now in condition for allowance. Hence, Applicants respectfully request that Examiner withdraw the objection to claims 28, 33-35, and 39.

CONCLUSION

Applicants consider the Response herein to be fully responsive to the referenced Office Action. Based on the above Remarks and Amendment, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance of the pending claims is requested. If a telephone conversation with Applicants' Agent would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 832-1000.

Respectfully submitted,

Jennifer A. Zarutskie, Ph.D.

FOLEY HOAG

January 21, 2004
Patent Group
Foley Hoag LLP
155 Seaport Blvd.
Boston, MA 02210-2600

Tel: (617) 832-1000 FAX: (617) 832-7000 Customer Number 25181 Agent for Applicants

Æeg. No. 50,558